

MAP Meeting Minutes

Thursday, March 28, 2019 9:30AM - 12:00PM

Location: Canadian Red Cross, 3400 Lake City Way, Burnaby, Vancouver

The meeting was held on the unceded territories of the Coast Salish peoples including the Tsleil-Waututh, Squamish and Musqueam nations.

Attendees: Claudia Buendia (MSDPR), Jenny Moss (MAP), Mélodie Honen-Delmar (MAP), Saleem Spindari (MOSAIC), Peter Prediger (inasmuch); Tammy Johnson (inasmuch); Richard Belcham (inasmuch), Nathan Wright (BC2II), Ana Maria Bustamente (BIPT), Loren Balisky (Kinbrace); Derek Chu (Kinbrace); Katherine Griffin (MOSAIC); James Grunau (Journey home); Sireen El-Nashar (Zaytuna); Fran Gallo (Kinbrace); Paige Slight (MAP); Luisa Brett (Covenant House); Sara Lopez (VAST); James Grunau (Journey Home Community); Vanessa Roth (Journey Home Community); Njeri Kontulathi (Vancity); Peter Liang (IRCC); Jameline Bitun (IRCC); Jwan Aziz (MOSAIC); Dennis Juarez (Options); Julia Wu (bc2II); Nathan Wright (bc211), Bridget Bell (IRB); Maria Cerviño (Kiwassa N. H.), Chris Morrissey (Rainbow Refugee); Mandana Salimian (Canadian Red Cross); Arran Smith (Canadian Red Cross); Cloe Clayton (Canadian Red Cross); Peninah (Faith) Okello (Purpose); Stephanie Forjcass (Kinbrace guest); Motoi Matsukara (Purpose), Gerardo Munariz (Mennonite Central Committee); Kam Sandhu (Vancity); Dustin Lupick (for Celine Mauboules, HSABC); Alissa Cook (SOS Housing); Paige Slight (MAP volunteer); Mukhtar Latif (Pomegranate); Hamed Taheri (Pomegranate); Lesley Stalker (RLG)

By phone:

Ken Agar-Newman (Victoria Coalition for the Survivors of Torture) and Sabrina Dumitra (AMSSA)

Apologies: Vicki Chiu (MJTT), Mia Morin (Vancity), Nadia Carvalho (Social Planning, City of Vancouver), Mariana Martinez Vieyra (VAST)

Co-Chair: **Saleem Spindari, MOSAIC**

- Saleem acknowledged the indigenous territory where we met, and thanks were expressed to Vancity and the Provincial Ministry of Jobs, Trade and Technology (MJTT), for the funding that supports MAP. Canadian Red Cross were thanked for hosting the meeting.

Welcome and Introductions, including those on the phone.

- **Outline of Agenda** and change in presenter for RLG: Lesley Stalker will present, not Amanda Aziz or Mollie Joeck – the agenda was approved

- Review of **February Minutes** - approved with one small change.

- Announcement – Canadian Council Refugee Spring Consultation in Victoria

Saleem (MOSAIC): CCR spring consultation is from May 30 to June 1st at University of Victoria, BC. Some of our colleagues are planning workshops and this will support what we are doing at MAP. If you want to register go to CCR website (www.ccrweb.ca). If you know of refugees who want to attend but don't have enough funds, there is the Amina Malko Fund where they can obtain financial support (transportation, housing etc.) to attend the consultation

1. Housing Working Group Report Presenters:

Loren Balisky, James Grunau, Mukhtar Latif

Overview of Towards a Housing Solution for Refugee Claimants in BC including project reports accomplished to-date, update on inclusivity and collaboration of project to-date, overview of Policy Directions to-date, and next steps to project completion by 31 March 2019.

- **Loren (Kinbrace):** provided a presentation which is attached to these Minutes.
- **James (Journey Home Community):**
 - We want to thank our informal leader, Loren, and the effort he put into this report. We also want to thank all of you who responded to our interviews, charts and survey.
 - 2 reports were generated by the housing working group (HWG) for refugee claimant housing needs. Once reviewed and approved they will be sent to the province.
 - The Charts will be in the appendix if you wish to access the survey results.
 - In their report Barry Growe and Doug Peet proposed innovative solutions. For instance: the use of empty housing, basement suits, airbnb. The report was based on interviews to understand what was working best.
 - Collaboration is time consuming but “If you want to go fast, you go alone. If you want to go far, you go together” and if you want to go fast and far, it takes a lot of work and time. We accomplished what we did with the latter strategy.
 - The collected data will finally be a good information resource that we can use to go forward and inform decision makers and others.
- **Mukhtar (Pomegranate Consulting):** outlined the report itself in a presentation attached to the Minutes.

Q&A:

Sireen (Zaytuna): We have a lot of RC’s that find it difficult to get housing because of credit and reference checks. How can this be improved?

James (Journey Home Community): The details will depend on all of us working together. The MAP housing working group will continue to meet and continue to work though as an organization. It is a high-level policy proposal, but we are the ones to make sure it can be implemented locally.

Sireen (Zaytuna): Sometime high-level policy changes do not trickle down...

Claudia (MSDPR): Landlords usually like to get a direct check from government, rather than rely on tenant paying the rent. This option is also available.

Chris (Rainbow refugee): This is great work because housing is one of the most difficult aspects for refugee claimants. But housing for single people is often worse than for families. There is no way they can manage on the funds that they are given. Therefore, we need to look at that as well.

Alissa (SOS): Sometimes suitable emergency housing is not available. Some families have had to be placed multiple times in shelters where they are split up. One family had to do 4 shelters in 6 weeks. It comes in waves – sometimes issues with individuals, sometimes families; it depends on the flow.

Dennis (Options): As a former refugee claimant, I had to move 11 times. This was a struggle. Not being able to pay rent is one of the most important challenges. People have to choose between eating or paying rent. Claimants’ income assistance is not enough, and it is especially hard as landlords often don’t want to give them a contract. If there is no contract then income assistance will not issue them a check. We need to think what could be done to encourage landlords to sign the shelter form.

Luisa (Covenant House): When does the report get sent to the government?

James (Journey Home Community): Loren is going to explain this later

Peninah (Purpose): As a former refugee claimant, it is really hard to move to a place even though you are mostly settled, because landlords use credit card checks and reference checks, which is really challenging. Currently they ask for background check or police reference check, which is not appropriate.

Jenny (MAP): BC housing is providing a workshop on April 15, about helping settlement agencies with their applications for refugee claimants at BC Housing.

Loren (Kinbrace): We will be sending the report on March 31st and hope that the ministry will want to step in further and launch a larger housing plan.

Applause from audience.

Saleem (MOSAIC): The province didn't want to impose a plan but wanted us to bring a plan to come together to start a good conversation. When the report comes out, there will be points missing, but this is not the end of it and it's a start of something we will do, and something that we want to push further.

Ken (Victoria Coalition for Survivors of Torture): will the findings be posted online? and what about other provinces? Will they be able to access these ideas to solve their housing problems?

Saleem (MOSAIC): Yes, they will be posted. We try to be unique in our response. Ontario and Quebec get more claimants, so they are in a different situation. But we want to be prepared. The province of BC is working with the sector; over there they were responding to a crisis.

Break

2. Quantitative and qualitative update on Refugee Claimants in the Lower Mainland Presenter: Bahar Taheri, BC Refugee Hub

Bahar was unable to attend the meeting.

3. Update from Refugee Lawyer's Group re: refugee lawyer action

Presenter: Lesley Stalker: Refugee Lawyer's Group (RLG)

- Legal aid lawyers were ready to strike. There was job action planned for April 1st, but the situation is moving as we speak. We are in the midst of voting on a new proposal.
- In the legal community, most legal aid funding goes to for criminal matters. Family and immigration also receive funding. In the past 28 years, we had a 10% increase in the hourly rate. The criminal bar has taken the lead in requesting increased funding for legal aid lawyers, and expanded coverage for low income people needing legal assistance. Legal aid is funded by the province. Last summer, members of the criminal bar approached the provincial government, saying it was time to increase legal aid funding. They answered that legal aid lawyers needed to form a bargaining unit, so the bar reactivated A.L.L. (Association for Legal Aid Lawyers), to negotiate. ALL has done extraordinary work, preparing a thorough document on the history of legal aid funding, the gaps in coverage, the disparity in wage increases in different sectors, and so on. In BC, wages generally have increased by 60% since 1994. Crown counsel's wages have gone up by more than 100%, in the same period, but legal aid lawyer's rates have plateaued. We are not only asking for increase to wages for lawyers, we are advocating for more poverty law services,

and for an increase in the maximum income which enables people to qualify for legal aid.

- The criminal, family and immigration bars voted on job action in March. In general, we agreed that lawyers would not take any new legal aid contracts from April 1st. Criminal lawyers would withdraw from Duty Counsel as of April 1, and immigration lawyers would withdraw from Duty Counsel as of April 15th. (There were exceptions to the overall plan, particularly for people facing removal). The vote was 98% in support of job action. Lawyers understand that this has a huge impact on refugee claimants and service providers. They know this is a last resort action, but they will be mindful when withdrawing from cases. On Tuesday morning, Legal Aid provided an internal proposal, and were asked to vote on that proposal. Lesley was not at liberty to disclose the details but said that the directors of ALL had voted to accept the proposal. [We later learned that the proposal was that the provincial government and Legal Services Society would provide a negotiating incentive, to take effective at the end of April, and that the lawyers would postpone job action pending further negotiations.] The reason for the request to defer job action is that the government said they are still in the midst of their budget and it is difficult to change numbers now. They ask that we continue to negotiate, and hopefully they can increase funding for legal aid in the next budget. Lesley anticipated that the job action will be likely postponed.

Q&A:

Saleem (MOSAIC): When Immigration Canada makes a change, it becomes hard on service providers to meet the demands of claimants. What will we do in case the lawyers choose to take action on legal advice? We would need to step in and assist by providing support. The support will in no way replace the legal advice of lawyers. But it could simply be preparing a skeleton BOC with a note saying that refugee claimants didn't receive legal advice to complete it. Let's hope for the best and see. We recognize the amount of help that lawyers provide in addition to the legal aid hours!

Lesley (RLG): Molly Joeck and Amanda Aziz, who co-chair the Refugee Lawyers Group, have met with the Immigration Refugee Board to alert them to the fact that claimants may need extensions of time.

Bridget (IRB) : The IRB cannot accept narratives at a later date (as was done on an experimental basis in Quebec), because it is a huge multi-agency change, therefore it is not simple for the administration. But they would be extremely generous in how they respond to requests for extensions of time. They will not abandon cases without doing due diligence. It is a case by case basis and we would work to do our best.

Loren (Kinbrace): How much are you paid to provide service to refugee claimants?

Lesley (RLG): For a basic refugee claim for protection, we get 16 hours that has to cover completing all forms (for inland claims, that is the BOC, the IMM 008, Schedule A, Schedule 12, etc.). We are working with an interpreter, so interpretation means we only get 8 hours of direct communication time. We often send claimants to SOS for help in completing the immigration forms, and we concentrate on the BOC. It takes a very long time to prepare the BOC, and especially the narrative. It can be hard for people to organize their thoughts. As Loren once said, we need to take the language of everyday life with discrimination, war, persecution, and put it into the language of human rights. Therefore, it is usually 20 hours just to prepare the basic forms. Then, we have to prepare our clients to testify, which is time consuming, as people often don't know what information is relevant when answering a question. We also need to research on news reports and human rights reports to provide supporting evidence relating to the claim (demonstrations, elections, detention, etc.). They can try to get medical reports of scars, but psych reports are almost impossible to get. Documents that aren't in English or French need to be translated, so we need to figure out which ones we can afford to translate. (Translation is done on a per word basis and is very expensive.)

In sum, a case often takes 40 hours to prepare. If a client is very traumatized, it can be 100 hours or more. LSS pays 20 hours for a Federal Court case, but only 10 hours for a RAD, and (I think) 5 hours for a PRRA).

And if there are complex legal issues, it is vastly time-consuming. That's why we are mad!

There are other costs like a lawyer's annual bar fee: \$4000 just to say you are a lawyer.

There are also professional requirements for continuing education, and annual declarations to show that we have complied with all the rules of the Law Society. Those tasks are unpaid. From the revenue for a legal aid case, lawyers must pay the rent and telephone and printer costs and stationery. As a result, many lawyers will not accept legal aid cases when they get to a certain level of seniority – they can't cover their costs.

James (Journey Home): It is great to hear your perspective, thank you for the presentation. When will the voting take place?

Lesley (RLG): Voting started yesterday and will end tonight. As it is electronic, the results should be known right away. By tomorrow, we will know whether there will be job action.

Fenina (Purpose Society): As a case manager, some clients cases take longer than normal (2 years). Should we go to lawyer to get information about such cases?

Lesley (RLG): yes, you can talk to your lawyer to update you on the situation.

Bridget (IRB) : The board is trying to do its best. And if it is slow, you can try to call the Case Management Officer; they can update you. They might say that it is a long timeline, but the case might also have fallen through the cracks. The answer will be quick.

About the gradual job action, I sense your positive feeling about the outcome of the vote. But if there is job action and no new contracts will be taken up, will the lawyers honour the ongoing contract?

Lesley (RLG): The initial proposal is to start withdrawing from existing contracts on April 15th, but it will be case by case. We recognize that withdrawal is hard for claimants, and we should give at least 30 days' notice. For any hearing from April and May we won't withdraw if there is a job action.

Bridget (IRB) : it is in your benefit to honour your contract if you wish to receive your wish list from government!

Fran (Kinbrace): Why not get provincial lawyer on board with the action? The bars and colleges might support the strike?

Lesley (RLG): Our obligation is first to the state: (ethical obligation to state, to court and then client) so it is questionable whether we can encourage other lawyers to strike too. But I've heard that in general, other lawyers, including Crown Counsel, have been very supportive.

Cloe (Red Cross): What about Duty council for refugees?

Lesley (RLG): The duty council has a limited mandate for immigration: if someone is detained, they must have a hearing within 48 hours, followed by another hearing 7 days later. In these cases, it is difficult to get in contact with the clients who are in detention, due to the protocols imposed by BC Corrections (who operate the prisons where immigration detainees are held.)

Jenny (MAP): I can't lobby for higher wages for refugee lawyers, but I do want to say how much Lesley has contributed to this work. Lesley was here from the beginning of MAP as UNHCR legal representative; and was part of creating the first legal working group. She also worked with Kinbrace

and IRB to start the Ready Tours, and is well known throughout Canada, and beyond, in promoting the rights of Refugee Claimants.

Saleem (MOSAIC): Thank you and we will stay in touch about the outcome of the vote.

4. Agency Updates

Dennis (Options): Resource Fair at Gilmore recreation centre with MOSAIC and Options will have a table at the event. The employment, housing and other settlement organization wants to invite your clients. There will be a vaccination clinic free for refugee claimants; they just need to be a resident of BC and bring their refugee id or a credit card.

This is also my last week as refugee claimant specialist at Options. I will be in a new position at MOSAIC as Migrant Workers Project Manager as it is also a very vulnerable population. I appreciate the hard work and the long hours that everyone has put in at MAP and the support it has given me.

Richard (inasmuch): as co-chair of IWG I want to share that the event ‘**Starting Over**’ – a MAP activity in Abbotsford with the University of the Fraser Valley was really successful, and there will be short part in the report going to MJTT about what IWG has been doing.

Jenny (MAP):

1. Contact Jenny to sign up for the **BC Housing workshop** on April 15 to be at Journey Home.
 2. At the **CCR Consultation at UVic**. **MAP will have a table** for member agency information who are not able to attend, so if you want to give Jenny your brochures, we can include them.
 3. **World Refugee Day event** – June 20. Vancity and the Vancouver Public Library have confirmed their partnership and support. We would also like to develop a model of a repeatable WRD presentation/activity to share with other municipalities.
- IWG needs volunteers to help plan this event. We call out for volunteers, it is a 3-month marathon, but it is worth it, IRCC, IRB, CBSA always get involved and participate in a meaningful way too.

Nathan (BC211): As the new year starts on Monday, you can update what your agency provides.

Bridget (IRB): I have some statistics. We had:

132 Principal claim referrals in BC for February

236 individuals in total with Iran as a top source country,

India - 28

Mexico 8

Afghanistan, Iraq and Columbia with 6.

For Western Canada:

Iran, then India, Mexico and then Pakistan (they usually go to Alberta).

There are 232 claims, but the IRB only has the capacity to process 200, so to be more efficient we are trying new methods:

For File Review Process hearing (FRP) - usually short hearings that are regular cases with more positive decisions and they are now processing higher numbers of claims. It is a pilot in the country with the purpose to try to finalize more cases with the same amount of staff.

In 2019, we received generous funds, so we are hiring more members.

32 cases finalize for IRB, as targets increase.

There is growth in the western region, but the office is jam packed, so now there is the option to work from home to continue to cover more claims. If there is the possibility of more hiring, then we will be able to keep up.

Chris (Rainbow Refugee Society): Once a month, on the first Monday, there is a social for any LGTBQ newcomers from whatever capacity. There are talks about indigenous population. It is at ISSo/BC at 6 :30.

Claudia (MSDPR): we launch the new poverty reduction strategy called **Together BC**. This is very positive for clients and the amount they receive will increase from April by \$50, and \$100 dollar for a couple. In the past 10 years, there was no increase so it is a positive move. The Policy legislation has changed too, and there is increasing staff in our ministry, so the government has been trying to listen to the public. (**Together BC** was later emailed out to MAP members)

Sara (VAST): Dennis, thank you to Options for the Resource Fair. VAST has also started a session for individuals at the new Surrey Refugee Hub, and gets clients coming for conversation. There is a (getting) group with psychological help tomorrow at Options for refugees with trauma.

Ken (Victoria coalition for survivors of torture): looking forward to the CCR consultation, and wants to organize work with VAST.

Alissa (SOS): housing has been busier with 6 to 15 walk-ins daily, sometimes up to 20 to 25 people coming. Big thank you to those who help us out.

Derek (Kinbrace): we are hiring 2 people if you know anyone interested.

Fran (Ready Tours): There will be a RAD info session coming up and ready tours are full now until May 17th.

Katherine (MOSAIC): There is conversation circle starting on Tuesday April 9th at 6pm at |MOSAIC on Boundary Road; there are bus tickets available and they welcome any English level. There is also childcare.

Sireen (Zaytuna): free tax clinics available to low-income persons

Loren (Kinbrace): I am going on sabbatical leave and will be gone for 9 months. Derek and Fran will replace Loren's work, and Derek will be housing group co-chair.

4. Feedback forms and adjournment

Thank you!

Next Meeting: April 25th, 2019 at ISSo/BC Welcome Center.

MAP gratefully acknowledges the funding provided by Vancity and the BC Ministry of Jobs, Trade and Technology without which our work would not be possible